

## § 106.230

relevant company and OCS facility personnel, and may include governmental authorities and vessels depending on the scope and the nature of the exercise.

[USCG-2003-14759, 68 FR 39345, July 1, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

### § 106.230 OCS facility recordkeeping requirements.

(a) Unless otherwise specified in this section, the Facility Security Officer (FSO) must keep records of the activities as set out in paragraph (b) of this section for at least 2 years and make them available to the Coast Guard upon request.

(b) Records required by this section may be kept in electronic format. If kept in an electronic format, they must be protected against unauthorized access, deletion, destruction, amendment, and disclosure. The following records must be kept:

(1) *Training.* For training under § 106.215, the date of each session, duration of session, a description of the training, and a list of attendees;

(2) *Drills and exercises.* For each drill or exercise, the date held, a description of the drill or exercise, a list of participants, and any best practices or lessons learned which may improve the FSP;

(3) *Incidents and breaches of security.* Date and time of occurrence, location within the OCS facility, a description of the incident or breach, the identity of the individual to whom it was reported, and a description of the response;

(4) *Changes in MARSEC Levels.* Date and time of the notification received, and the time of compliance with additional requirements;

(5) *Maintenance, calibration, and testing of security equipment.* For each occurrence of maintenance, calibration, and testing, record the date and time, and the specific security equipment involved;

(6) *Security threats.* Date and time of occurrence, how the threat was communicated, who received or identified the threat, a description of the threat, to whom it was reported, and a description of the response;

(7) *Declaration of Security (DoS).* A copy of each DoS for at least 90 days after the end of its effective period; and

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(8) *Annual audit of the Facility Security Plan (FSP).* For each annual audit, a letter certified by the FSO stating the date the audit was conducted.

[USCG-2003-14759, 68 FR 39345, July 1, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

### § 106.235 Maritime Security (MARSEC) Level coordination and implementation.

(a) The OCS facility owner or operator must ensure the OCS facility operates in compliance with the security requirements in this part for the MARSEC Level in effect for the OCS facility.

(b) When notified of an increase in the MARSEC Level, the OCS facility owner or operator must ensure:

(1) Vessels conducting operations with the OCS facility and vessels scheduled to arrive at the OCS facility within 96 hours of the MARSEC Level change are notified of the new MARSEC Level and the Declaration of Security (DoS), if applicable, is revised as necessary;

(2) The OCS facility complies with the required additional security measures within 12 hours; and

(3) The OCS facility reports compliance or noncompliance to the cognizant District Commander.

(c) For MARSEC Levels 2 and 3, the Facility Security Officer (FSO) must inform all OCS facility personnel about identified threats, emphasize reporting procedures, and stress the need for increased vigilance.

(d) An OCS facility owner or operator whose facility is not in compliance with the requirements of this section must so inform the cognizant District Commander and obtain approval prior to interfacing with another vessel or prior to continuing operations.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003]

### § 106.240 Communications.

(a) The Facility Security Officer (FSO) must have a means to effectively notify OCS facility personnel of changes in security conditions at the OCS facility.

(b) Communication systems and procedures must allow effective and continuous communications between the OCS facility security personnel, vessels

interfacing with the OCS facility, the cognizant District Commander, and national and local authorities with security responsibilities.

(c) Facility communications systems must have a backup means for both internal and external communications.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003]

**§ 106.245 Procedures for interfacing with vessels.**

The OCS facility owner or operator must ensure that there are measures for interfacing with vessels at all MARSEC Levels.

**§ 106.250 Declaration of Security (DoS).**

(a) Each OCS facility owner or operator must ensure procedures are established for requesting a DoS and for handling DoS requests from vessels.

(b) At MARSEC Level 1, owners or operators of OCS facilities interfacing with a manned vessel carrying Certain Dangerous Cargoes, in bulk, must:

(1) Prior to the arrival of a vessel to the OCS facility, ensure the Facility Security Officer (FSO) and Master, Vessel Security Officer (VSO), or their designated representatives coordinate security needs and procedures, and agree upon the contents of a DoS for the period of time the vessel is at the OCS facility; and

(2) Upon the arrival of the vessel at the OCS facility, the FSO and Master, VSO, or their designated representatives, must sign the written DoS.

(c) Neither the OCS facility nor the vessel may embark or disembark personnel, or transfer stores or industrial supplies until the DoS has been signed.

(d) At MARSEC Levels 2 and 3, the FSOs of OCS facilities interfacing with manned vessels subject to part 104 of this chapter, or their designated representatives, must sign and implement DoSs as required in paragraphs (b)(1) and (b)(2) of this section.

(e) At MARSEC Levels 1 and 2, FSOs of OCS facilities that frequently interface with the same vessel may implement a continuing DoS for multiple visits, provided that:

(1) The DoS is valid for a specific MARSEC Level;

(2) The effective period at MARSEC Level 1 does not exceed 90 days; and

(3) The effective period at MARSEC Level 2 does not exceed 30 days.

(f) When the MARSEC Level increases beyond that contained in the DoS, the continuing DoS is void and a new DoS must be executed in accordance with this section.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

**§ 106.255 Security systems and equipment maintenance.**

(a) Security systems and equipment must be in good working order and inspected, tested, calibrated, and maintained according to manufacturers' recommendations.

(b) Security systems must be regularly tested in accordance with the manufacturers' recommendations; noted deficiencies corrected promptly; and the results recorded as required in § 106.230(b)(5) of this part.

(c) The Facility Security Plan (FSP) must include procedures for identifying and responding to security system and equipment failures or malfunctions.

**§ 106.260 Security measures for access control.**

(a) *General.* The OCS facility owner or operator must ensure the implementation of security measures to:

(1) Deter the unauthorized introduction of dangerous substances and devices, including any device intended to damage or destroy persons, vessels, or the OCS facility;

(2) Secure dangerous substances and devices that are authorized by the OCS facility owner or operator to be on board; and

(3) Control access to the OCS facility.

(b) The OCS facility owner or operator must ensure that the following are specified:

(1) All locations providing means of access to the OCS facility where access restrictions or prohibitions are applied for each security level to prevent unauthorized access;

(2) The identification of the types of restriction or prohibition to be applied and the means of enforcing them; and

(3) The means of identification required to allow individuals to access